



**US Army Corps
of Engineers®**
Nashville District

Public Notice

Public Notice No. 04-59

Date: September 29, 2004

Application No. 200400586

Please address all comments to:
Regulatory Branch, 3701 Bell Road, Nashville, TN 37214-2660

JOINT PUBLIC NOTICE
US ARMY CORPS OF ENGINEERS
AND
STATE OF TENNESSEE

SUBJECT: Proposed Municipal Raw Water Intake and Raw Water Pipeline in Clay and Overton Counties, Tennessee

TO ALL CONCERNED: The application described below has been submitted for a Department of the Army Permit pursuant to **Section 10 of the Rivers and Harbors Act of 1899 (33 USC 403) and Section 404 of the Clean Water Act (33 USC 1344)**. Before a permit can be issued, certification must be provided by the State of Tennessee, Division of Water Pollution Control pursuant to Section 401(a)(1) of the CWA, that applicable water quality standards will not be violated. By copy of this notice, the applicant hereby applies for the required certification.

APPLICANT: Town of Livingston, Tennessee
301 McHenry Circle
Livingston, Tennessee 38570

LOCATION:

a. Intake. At Butler's Landing, Mile 373.2, left bank, Cumberland River, in Clay County, Tennessee, Lat 36° 29' 13", Long 85° 33' 53", Burrirstown-TN, USGS Quad Map. (Exhibit A)

b. Pipeline. The following streams and some of their tributaries would be affected by pipeline crossing work: Dry Fork, Right Fork, Jackson Branch, Flat Creek, Zollicoffer Creek, and Town Creek. The proposed alignment would occur in the Burrirstown, Hilham, Windle, and Okalona-Tennessee USGS Quad maps, Clay, and Overton counties. (Exhibits D-H)

DESCRIPTION: The proposed work consists of the construction of a 15'x15' raw water intake structure close to the left descending bank of the Cumberland River (Exhibits B & C). The intake structure would extend approximately 28' into the channel measured from the Normal Summer Pool (NSP) shoreline, Elevation (El) 504. A temporary, 40' diameter, steel sheet pile cofferdam would be built to help construct the base of the structure. If rock is encountered while driving the sheet piling, pile driving will stop at rock level, and concrete would be poured around the perimeter of the cofferdam to seal off the excavation area. The top of the cofferdam would be approximately at El. 510, i.e., 6' above Cordell Hull Lake's NSP. An 80' long inflow channel would be dredged riverward from the face of the intake structure. The bottom of the channel would be at El. 475. The volume of material to be dredged is estimated at 1,500 cubic yards (mostly rock). Explosives may be used. Unsuitable material would be removed upland where it would be properly contained. A barge-mounted crane with a clamshell bucket would be used to dredge the bottom.

The raw intake will pump water through a 20" line to the existing Livingston Water Treatment Plant (LWTP) raw water intake system installed on Carr Creek southeast of the town. The proposed transmission line from Butler's Landing to the LWTP would require the construction of 24 stream crossings. The following streams and some of their tributaries would be affected by pipeline crossing work: Dry Fork, Right Fork, Jackson Branch, Flat Creek, Zollicoffer Creek, and Town Creek. For more information, see Exhibits D-J.

Initial average and peak daily withdrawal rates are projected at 3.0 million gallons per day (MGD) and 4.0 MGD, respectively. The new intake would be operated periodically to supplement the existing Carr Creek raw water intake system. The purpose of the project is to provide a reliable potable water source for the Town of Livingston.

Plans of the proposed work are attached to this notice.

The decision whether to issue a permit will be based on an evaluation of the probable impacts including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the work must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the work will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. In addition, the evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency, under authority of Section 404(b)(1) of the CWA (40 CFR Part 230). A permit will be granted unless the District Engineer determines that it would be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

An Environmental Assessment will be prepared by this office before a final decision concerning issuance or denial of the requested Department of the Army Permit.

The applicant is completing a cultural resource survey for the proposed intake site and the entire 20" pipeline corridor. The report will be submitted to the Tennessee State Historic Preservation Officer (SHPO) for review and concurrence. This review constitutes the full extent of cultural resources investigations unless comment to this notice is received documenting that significant

sites or properties exist which may be affected by this work, or that adequately documents that a potential exists for the location of significant sites or properties within the permit area. Copies of this notice are being sent to the SHPO.

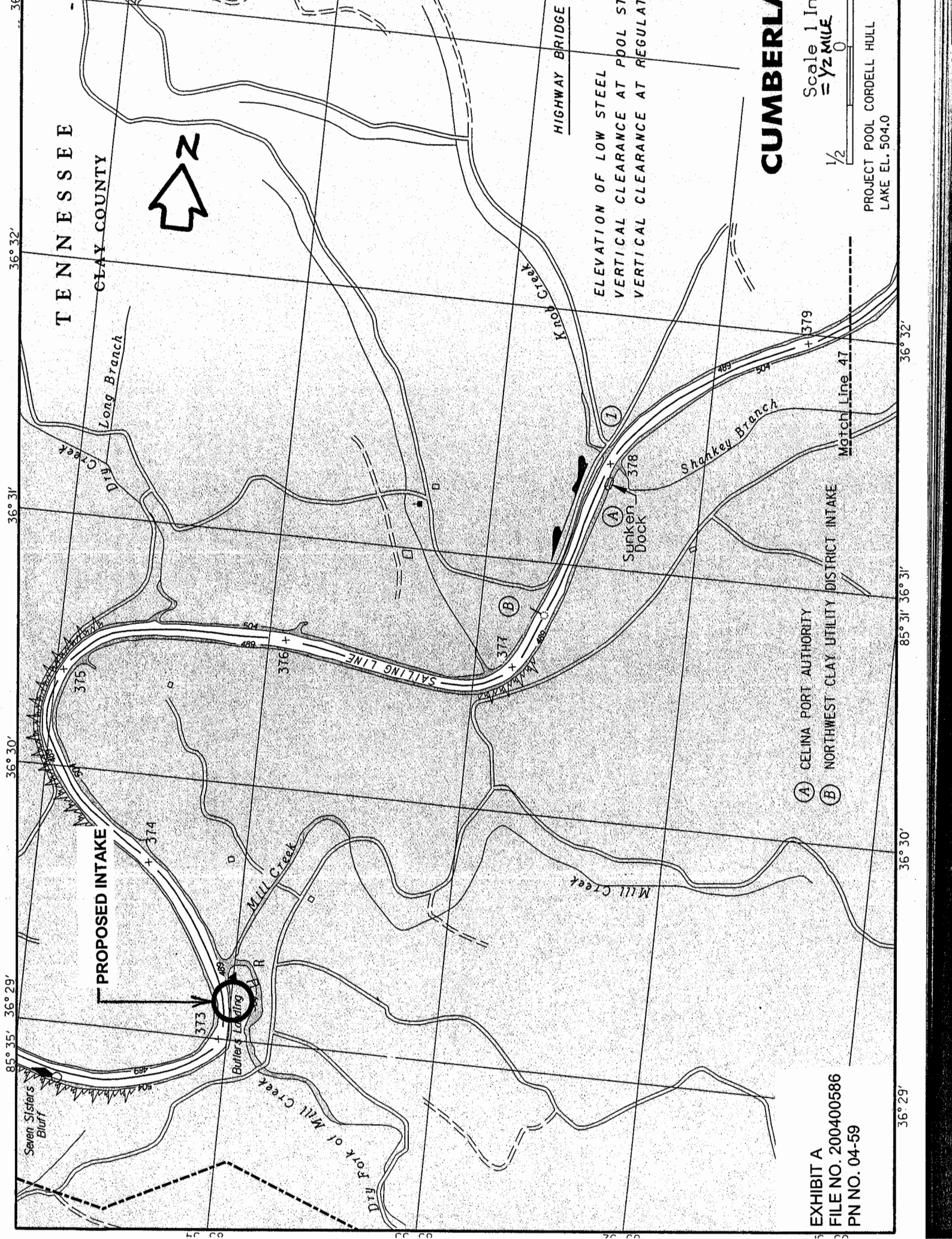
Based on available information, the proposed work will not destroy or endanger any federally-listed threatened or endangered species or their critical habitats, as identified under the Endangered Species Act. Therefore, we have reached a no effect determination, and initiation of formal consultation procedures with the U.S. Fish and Wildlife Service is not planned at this time.

Other federal, state, and/or local approvals required for the proposed work are as follows:

- Water quality certification from the State of Tennessee in accordance with Section 401(a)(1) of the Clean Water Act.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

Written statements received in this office on or before October 29, 2004, will become a part of the record and will be considered in the determination. Any response to this notice should be directed to the Regulatory Branch, Attn: J. Ruben Hernandez, at the above address, telephone (615) 369-7519. Comments relative to the §401 Water Quality Certification may be sent to Mr. Dan Eagar, Tennessee Division of Water Pollution Control, 7th Floor, L&C Annex, 401 Church Street, Nashville, Tennessee, 37243-1534, telephone (615) 532-0625.



TENNESSEE
CLAY COUNTY



PROPOSED INTAKE

HIGHWAY BRIDGE

ELEVATION OF LOW STEEL
VERTICAL CLEARANCE AT POOL ST
VERTICAL CLEARANCE AT REGULATOR

CUMBERLAND

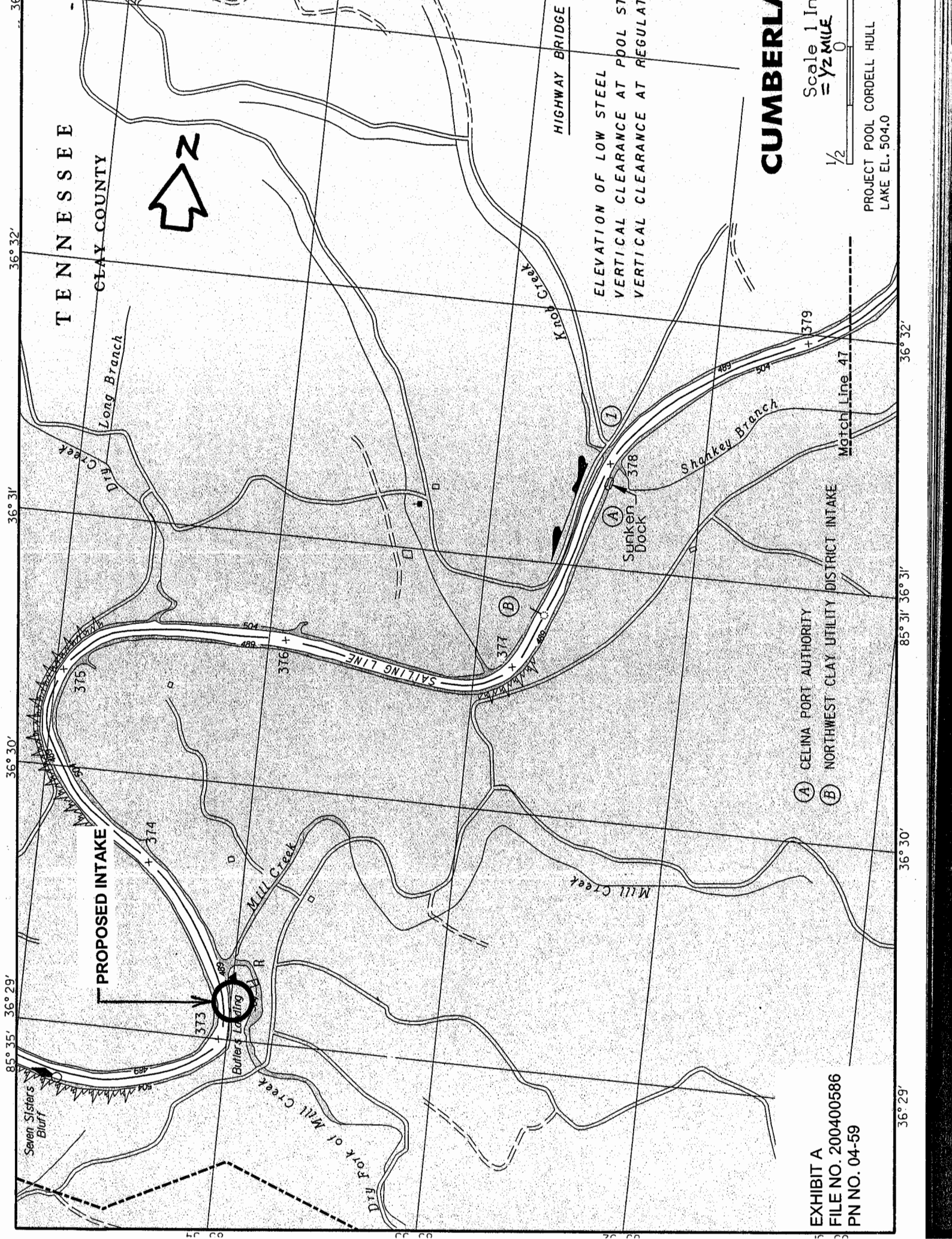
Scale 1 in
= 1/2 MILE

1/2

PROJECT POOL CORDELL HULL
LAKE EL. 504.0

- (A) CELINA PORT AUTHORITY
- (B) NORTHWEST CLAY UTILITY DISTRICT INTAKE

EXHIBIT A
FILE NO. 200400586
PN NO. 04-59



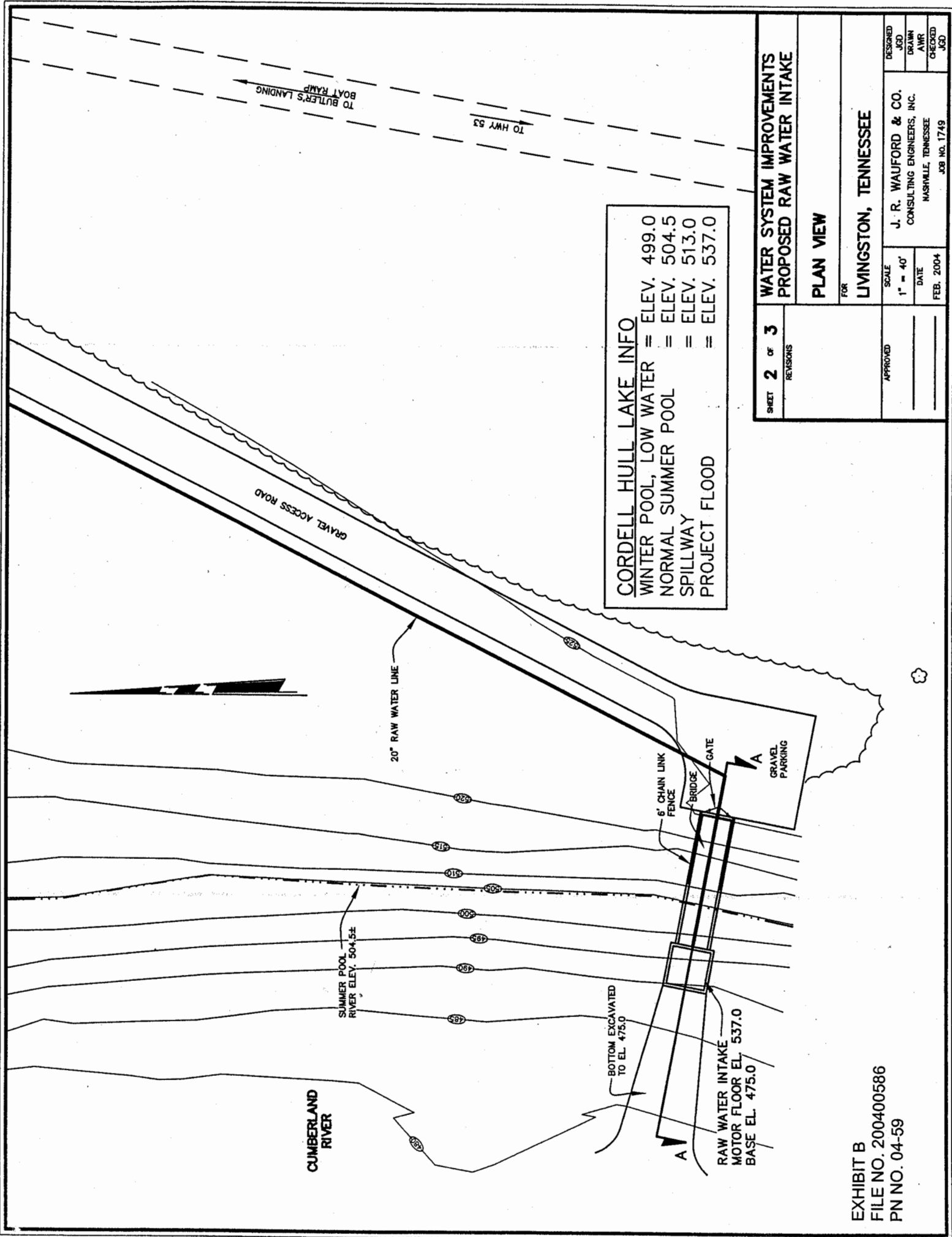


EXHIBIT B
 FILE NO. 200400586
 PN NO. 04-59

560

540

520

500

480

460

EAST BANK
CUMBERLAND RIVER

ELEV. 537.0

REINFORCED
CONCRETE BRIDGE

ELEV. 524.0

20" RAW
WATER LINESPILLWAY
ELEV. 513.00WATER LEVEL
EL. 503.75 (10/06/03)MIN. WATER LEVEL
ELEV. 499.0MATERIAL TO
BE EXCAVATED

BASE EL. 475.0

PROJECT FLOOD
ELEV. 537.0NOTE: PROFILE BASED ON FIELD SURVEY
AT RIVER MILE 373.25EXHIBIT C
FILE NO. 200400586
PN NO. 04-59WATER SYSTEM IMPROVEMENTS
PROPOSED RAW WATER INTAKE

CROSS SECTION

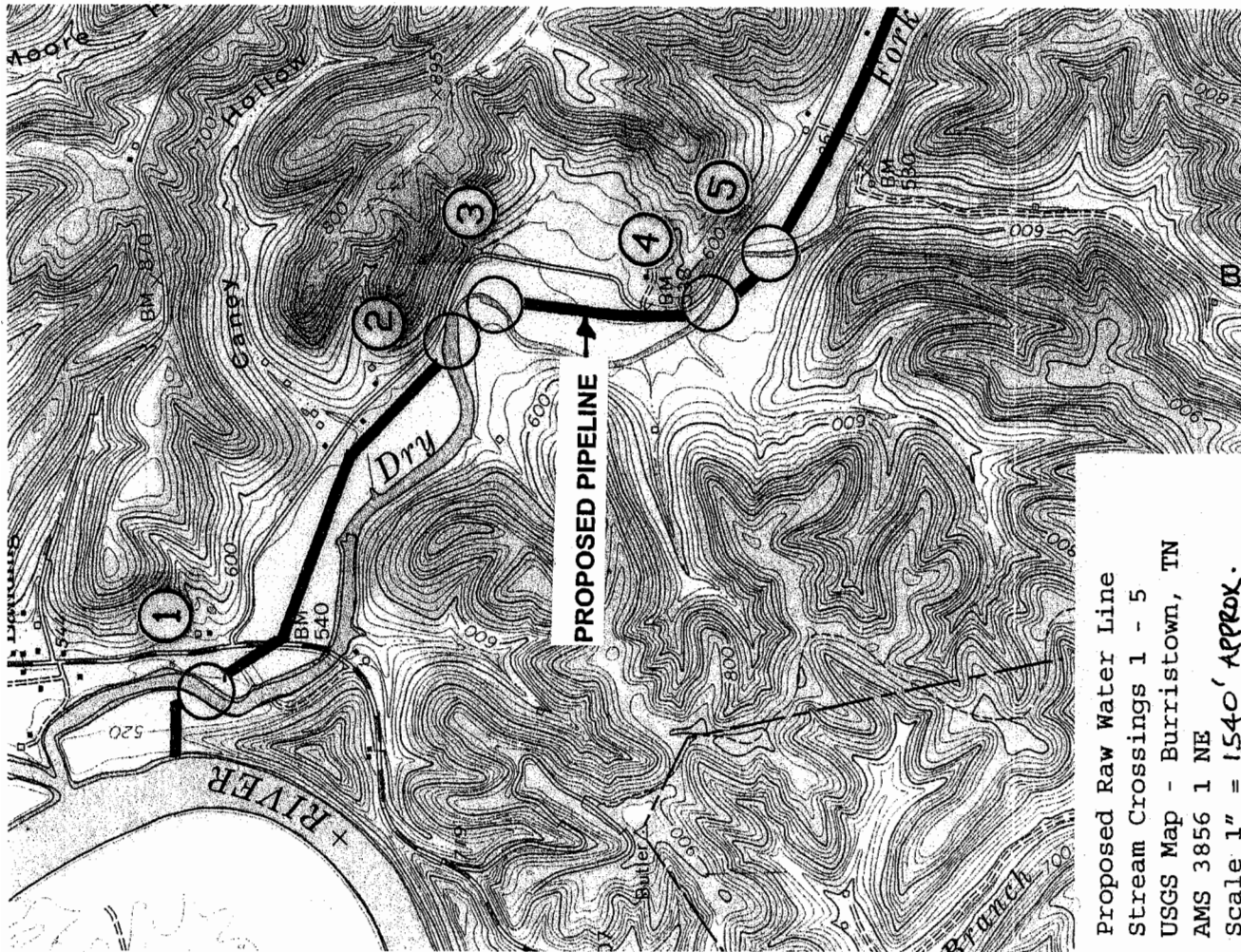
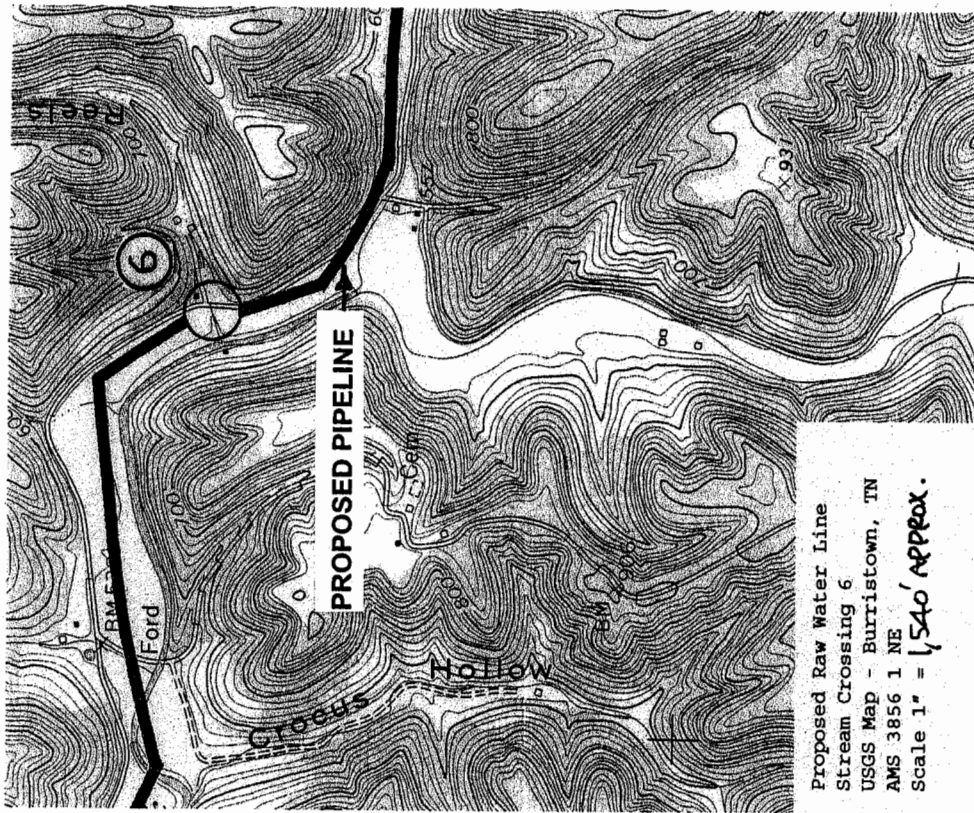
FOR

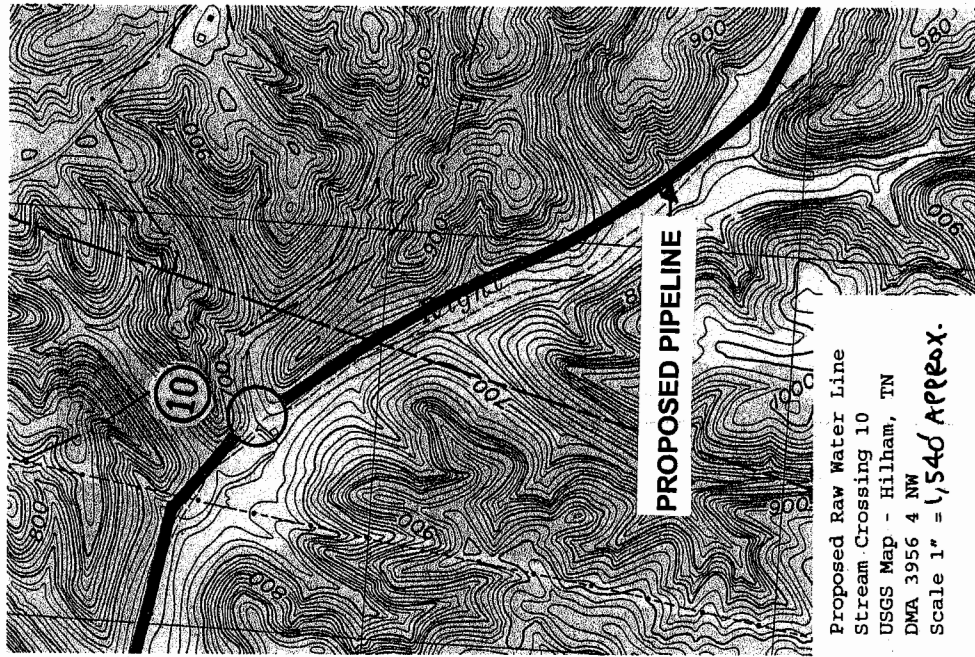
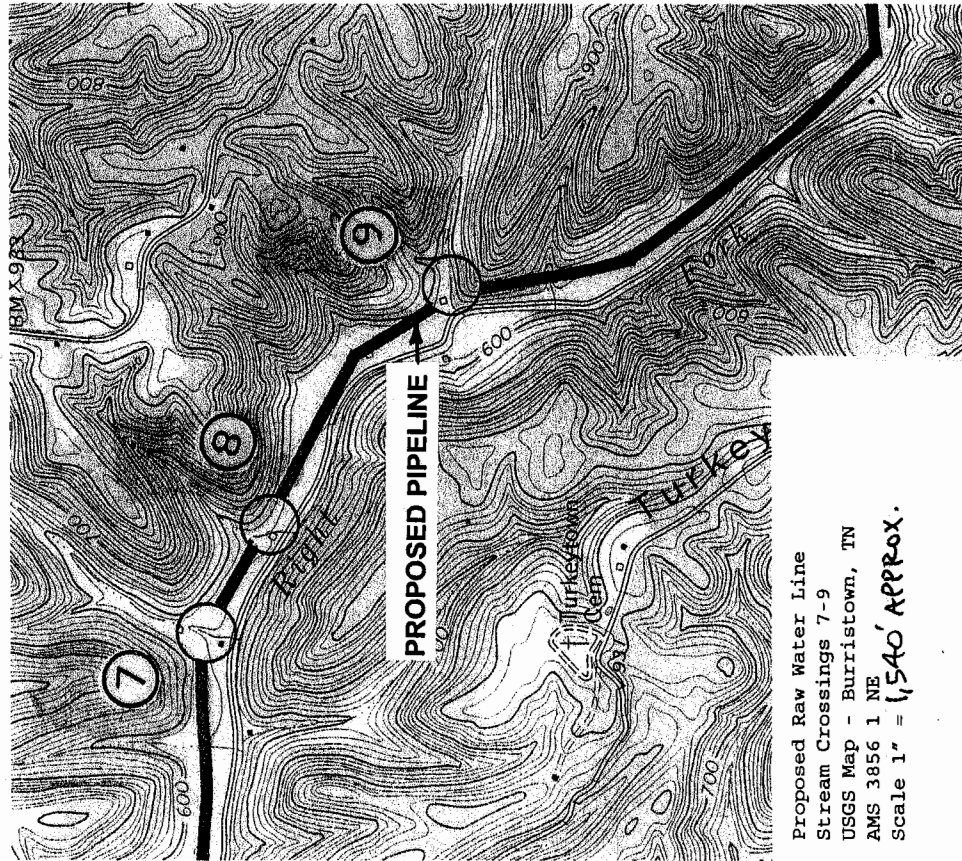
LIVINGSTON, TENNESSEE

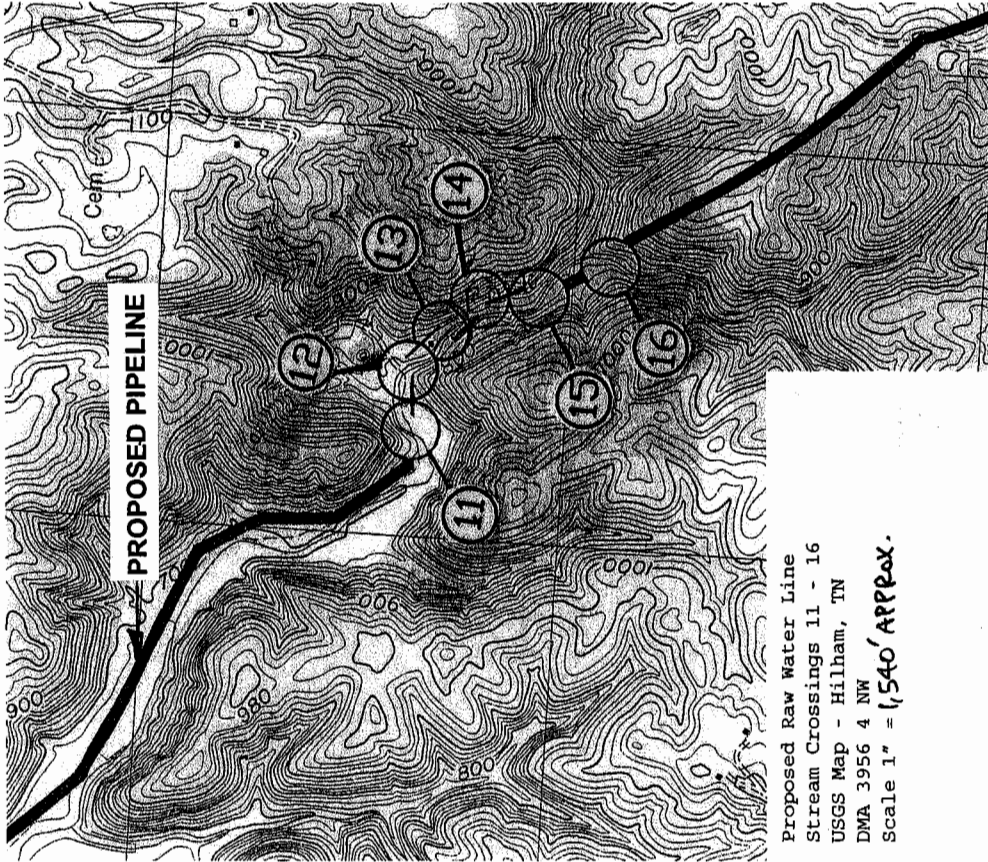
APPROVED

SCALE
1" = 20' HOR.
1" = 20' VER.DATE
FEB. 2004DESIGNED
JGD
DRAWN
AWR
CHECKED
JGDJ. R. WAUFORD & CO.
CONSULTING ENGINEERS, INC.
NASHVILLE, TENNESSEE

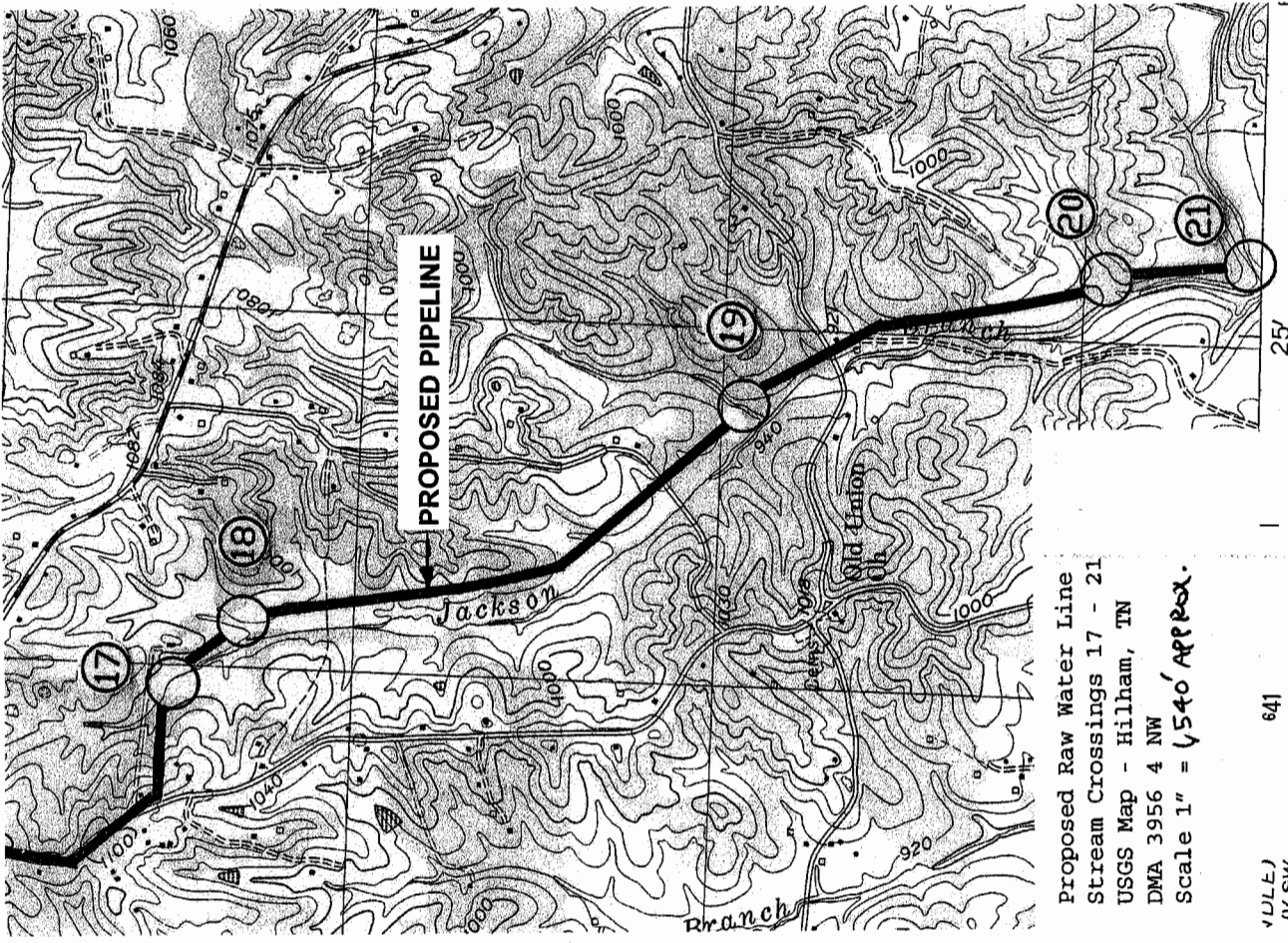
JOB NO. 1749



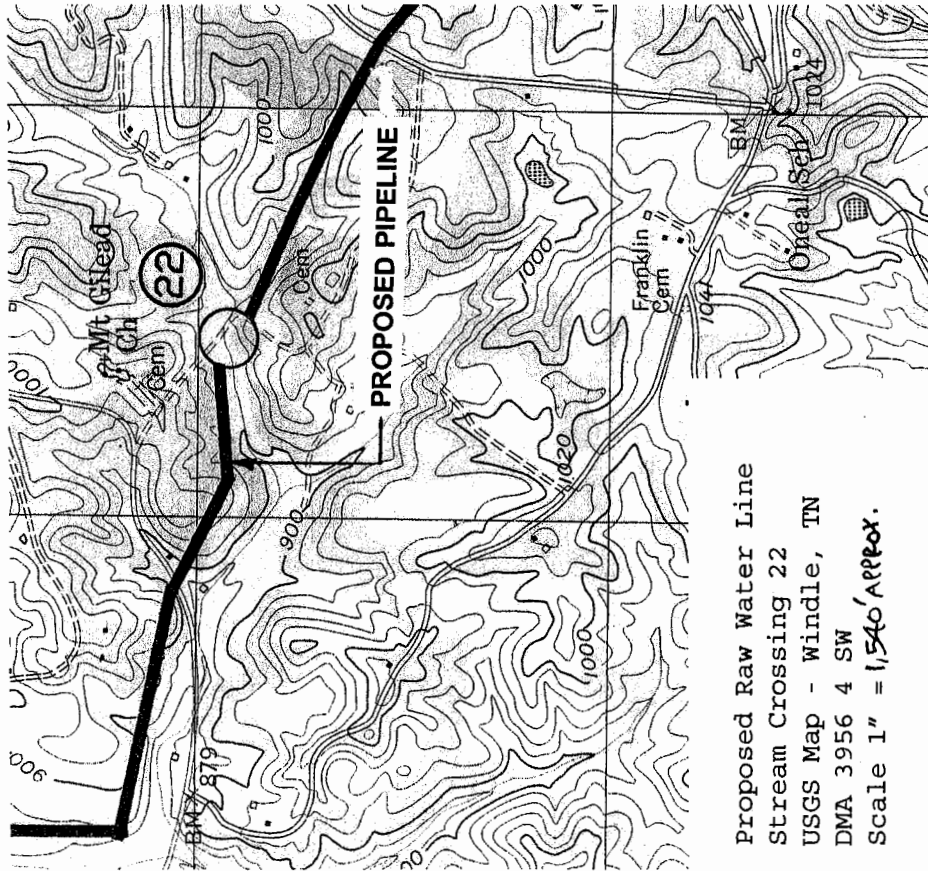




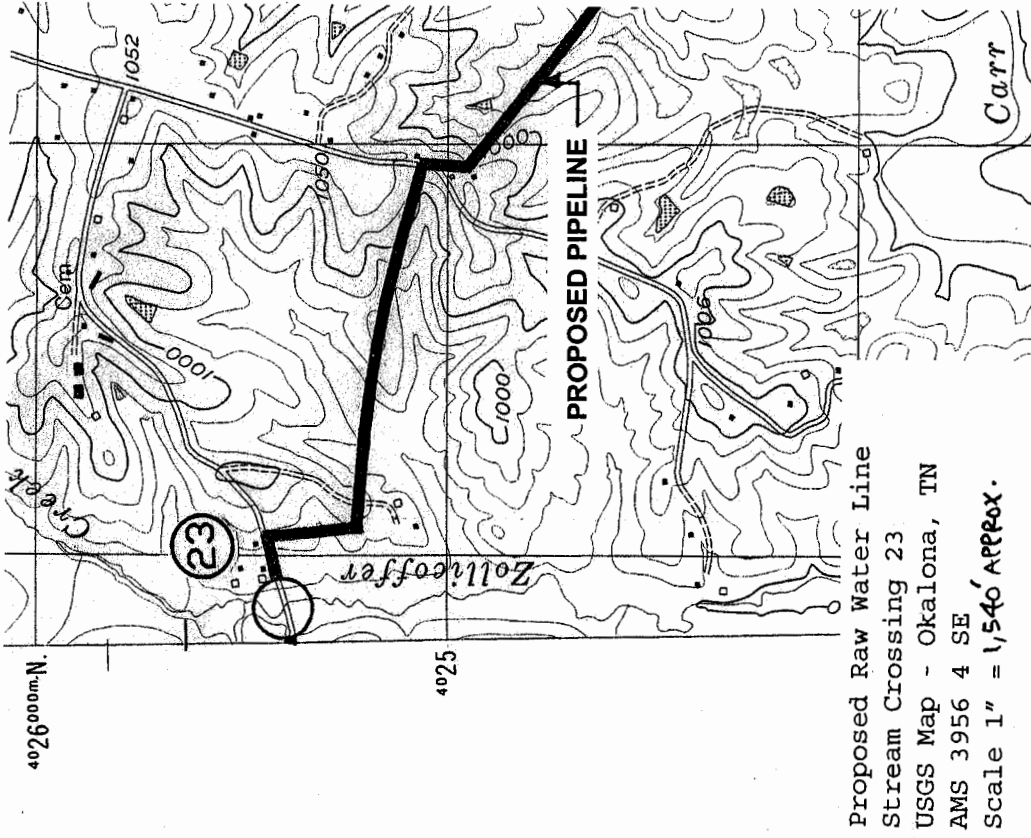
PROPOSED Raw Water Line
Stream Crossings 11 - 16
USGS Map - Hilham, TN
DMA 3956 4 NW
Scale 1" = 1,540' APPROX.



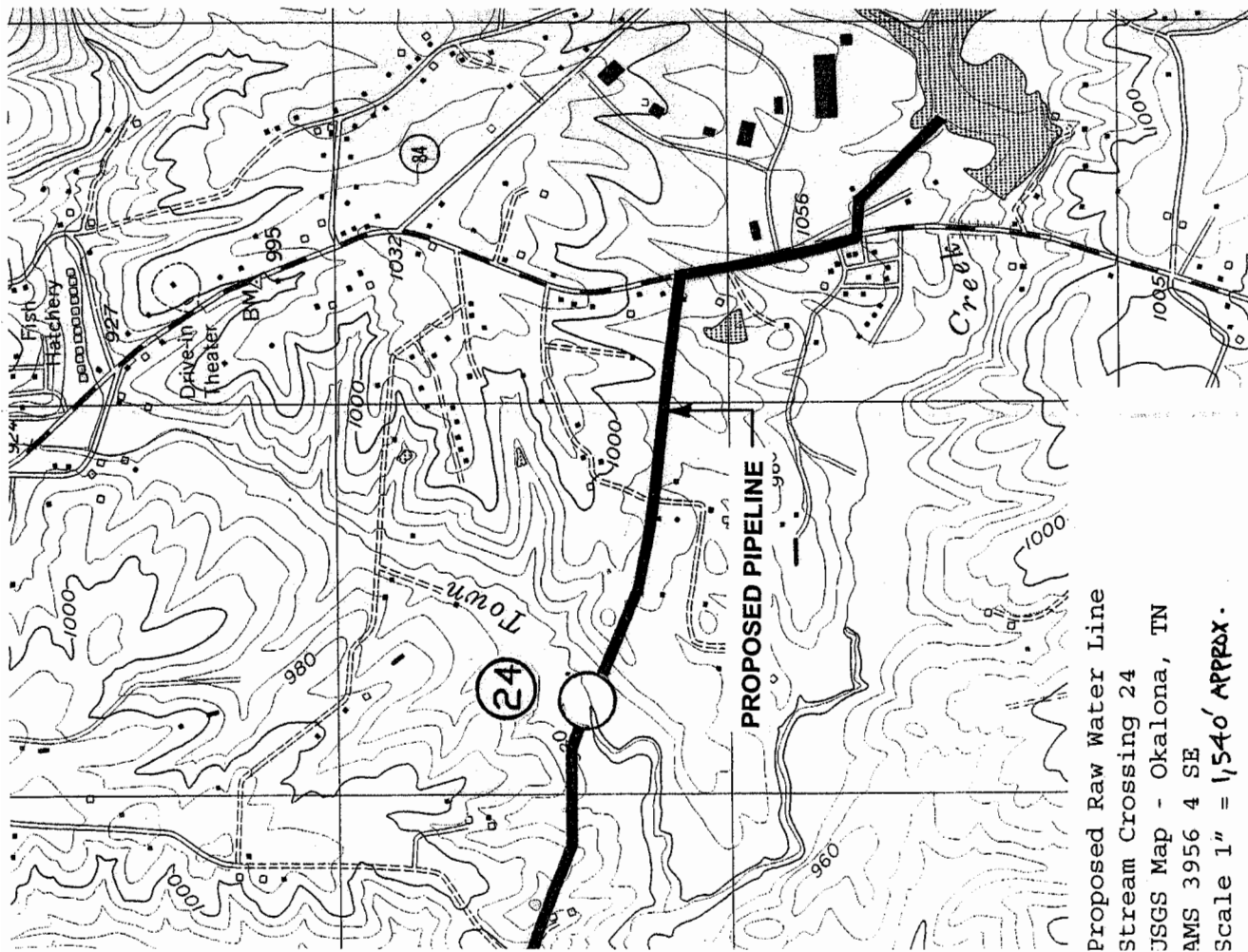
PROPOSED Raw Water Line
Stream Crossings 17 - 21
USGS Map - Hilham, TN
DMA 3956 4 NW
Scale 1" = 1,540' APPROX.



Proposed Raw Water Line
 Stream Crossing 22
 USGS Map - Windle, TN
 DMA 3956 4 SW
 Scale 1" = 1,540' approx.



Proposed Raw Water Line
 Stream Crossing 23
 USGS Map - Okalona, TN
 AMS 3956 4 SE
 Scale 1" = 1,540' approx.

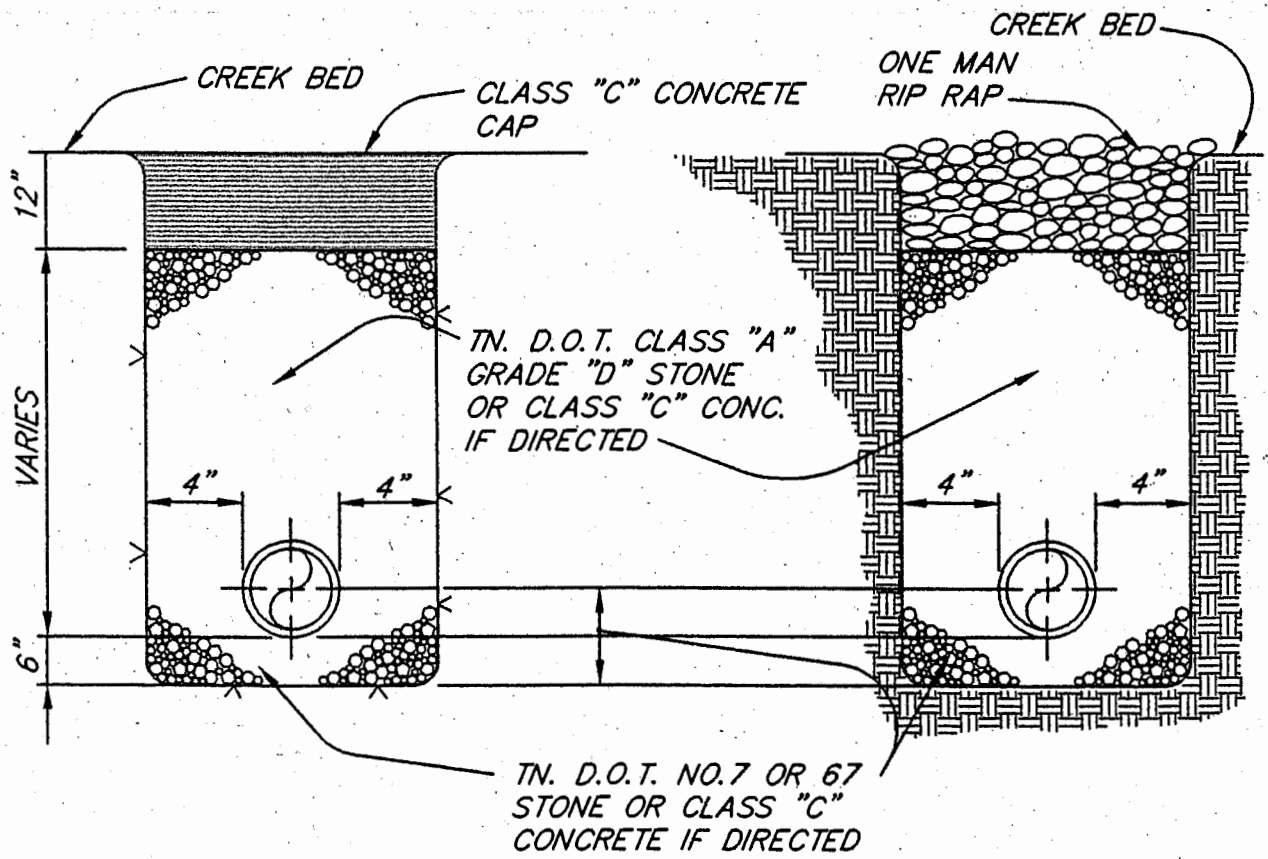


Proposed Raw Water Line
 Stream Crossing 24
 JSGS Map - Okalona, TN
 AMS 3956 4 SE
 Scale 1" = 1,540' APPROX.

Intake and Stream Crossing Locations

1749 Waterworks Improvements
Livingston, Tennessee
4/6/04

Crossing or Location	Latitude			Longitude		
	<i>deg</i>	<i>min</i>	<i>sec</i>	<i>deg</i>	<i>min</i>	<i>sec</i>
Intake	36	29	13	85	33	53
1	36	29	11	85	33	47
2	36	28	49	85	33	10
3	36	28	46	85	33	7
4	36	28	27	85	33	6
5	36	28	25	85	33	3
6	36	28	8	85	31	49
7	36	27	52	85	31	4
8	36	27	48	85	30	53
9	36	27	35	85	30	31
10	36	26	46	85	29	17
11	36	25	43	85	28	8
12	36	25	44	85	28	2
13	36	25	41	85	27	59
14	36	25	38	85	27	56
15	36	25	33	85	27	54
16	36	25	29	85	27	50
17	36	24	9	85	25	43
18	36	24	1	85	25	35
19	36	23	16	85	25	10
20	36	22	43	85	24	55
21	36	22	31	85	24	53
22	36	22	12	85	24	4
23	36	21	53	85	22	27
24	36	21	18	85	20	53



IN ROCK

IN EARTH

TYPICAL STREAM CROSSING

W-5-1 S=12"